

On July 13, 1940, the United States attorney for the Eastern District of Washington filed a libel against 51 cases of tomato catsup at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about February 29, 1940, from Post Falls, Idaho, by Seiter's, Inc.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Coeur d'Alene Brand * * * Tomato Catsup."

On August 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1150. Adulteration of tomato catsup. U. S. v. 26 Cases of Tomato Catsup. decree of condemnation and destruction. (F. D. C. No. 2705. Sample No. 6590-E.)

This product contained excessive mold, indicating the presence of decomposed material.

On August 29, 1940, the United States attorney for the Northern District of Texas filed a libel against 26 cases of tomato catsup at Amarillo, Tex., alleging that the article had been shipped in interstate commerce on or about February 20, 1940, by Val Vita Food Products, Inc., from Fullerton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Monte Rio Brand Tomato Catsup."

On October 31, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1151. Adulteration of tomato paste. U. S. v. 550 Cases and 300 Cases of Tomato Paste. Consent decrees of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. Nos. 1938, 1936-A. Sample No. 12597-E.)

This product contained worm and insect fragments.

On May 9 and 10, 1940, the United States attorney for the Eastern District of New York filed libels against 550 cases of tomato paste at Brooklyn, N. Y., and 300 cases of tomato paste at Garden City, N. Y., alleging that the article had been shipped in interstate commerce on or about April 2, 1940, by the Turlock Cooperative Growers from Modesto, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Cans) "Firenze Product of California Tomato Paste."

On September 5, 1940, the Turlock Cooperative Growers, claimant, having admitted the allegations of the libels, judgments of condemnation were entered, and the product was ordered released under bond conditioned that it be segregated according to code numbers, and that the portion unfit for human consumption be segregated and destroyed.

1152. Adulteration of tomato paste. U. S. v. 73 Cases of Tomato Paste. Consent decree of condemnation and destruction. (F. D. C. No. 1763. Sample No. 72962-D.)

On April 5, 1940, the United States attorney for the District of Maine filed a libel against 73 cases of tomato paste at Portland, Maine, alleging that the article had been shipped in interstate commerce on or about February 8, 1940, by the Riverbank Canning Co. from Riverbank, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Madonna Fancy Pure Tomato Paste."

On February 8, 1941, the Riverbank Canning Co. having consented to the destruction of the product, judgment of condemnation was entered and it was ordered destroyed.

1153. Adulteration of tomato puree. U. S. v. 448 Cases of Tomato Puree. Consent decree of condemnation. Product ordered released under bond for salvaging good portion. (F. D. C. No. 2286. Sample No. 30513-E.)

Samples of this product were found to contain excessive mold.

On or about July 6, 1940, the United States attorney for the Northern District of Illinois filed a libel against 448 cases of tomato puree at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 24, 1940, by the Clamme Canning Co. from Hartford City, Ind.; and charging

that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "The Good Kind Tomato Puree Steele-Wedeles Company Distributors Chicago, Ill."

On August 7, 1940, Charles Clamme and Albert Clamme, copartners, doing business as Clamme Canning Company, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond for separating and salvaging the good portion under the supervision of the Food and Drug Administration.

1154. Adulteration of tomato puree. U. S. v. 22 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 2339. Sample Nos. 6526-E, 6810-E.)

On July 10, 1940, the United States attorney for the District of Colorado filed a libel against 22 cases of tomato puree at Denver, Colo. (consigned by the Perry Canning Co.), alleging that the article had been shipped in interstate commerce on or about May 18, 1940, from Perry, Utah; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Dreher's Tomato Puree * * * Packed For The Dreher Pickle Company, Denver, Colorado."

On July 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1155. Adulteration of tomato puree. U. S. v. 19 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 2262. Sample No. 6285-E.)

On June 26, 1940, the United States attorney for the District of Kansas filed a libel against 19 cases of tomato puree at Goodland, Kans., alleging that the article had been shipped in interstate commerce on or about March 1, 1940, by the Pleasant Grove Canning Co. from Pleasant Grove, Utah; and charging that it was adulterated in that it consisted wholly or in part of decomposed vegetable substances. The article was labeled in part: "Utah Valley Brand Tomato Puree."

On September 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1156. Adulteration of tomato pulp and tomato puree. U. S. v. Kaysville Canning Corporation. Plea of guilty. Fine, \$29. (F. D. C. No. 2887. Sample Nos. 97222-D, 97324-D, 97413-D, 16408-E, 16412-E, 16438-E.)

On February 6, 1941, the United States attorney for the District of Utah filed an information against the Kaysville Canning Corporation, Kaysville, Utah, alleging shipment within the period from on or about October 4, 1939, to on or about February 8, 1940, from the State of Utah into the States of Nebraska, Colorado, and Wyoming, of quantities of tomato pulp and tomato puree that were adulterated in that they consisted in whole and in part of decomposed substances. The articles were labeled in part variously: "Heavy Tomato Pulp Packed By Kaysville Canning Corpn."; "Tomato Puree"; "Kaysville Brand Tomato Puree * * * Distributed By Kaysville Canning Corporation"; "Silver Band * * * Tomato Puree * * * The Morey Mercantile Co. Distributors Denver, Colo."

On February 6, 1941, a plea of guilty was entered on behalf of the defendant and a fine of \$29 was imposed.

1157. Adulteration of tomato sauce. U. S. v. 124 Cases of Canned Tomato Sauce. Default decree of condemnation and destruction. (F. D. C. No. 2204. Sample No. 12638-E.)

On or about June 25, 1940, the United States attorney for the District of Maryland filed a libel against 124 cases of tomato sauce at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about May 24, 1940, by the Port of Stockton from Stockton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Cans) "Land o'Lakes California Fancy Tomato Sauce * * * Distributed By Ocono Company Baltimore, Md."

On August 19, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.